

1 AMENDMENT TO SENATE BILL 317

2 AMENDMENT NO. _____. Amend Senate Bill 317 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Section 24-11 as follows:

6 (105 ILCS 5/24-11) (from Ch. 122, par. 24-11)
7 Sec. 24-11. Boards of Education - Boards of School
8 Inspectors - Contractual continued service. As used in this
9 and the succeeding Sections of this Article:

10 "Teacher" means any or all school district employees
11 regularly required to be certified under laws relating to the
12 certification of teachers.

13 "Board" means board of directors, board of education, or
14 board of school inspectors, as the case may be.

15 "School term" means that portion of the school year, July
16 1 to the following June 30, when school is in actual session.

17 This Section and Sections 24-12 through 24-16 of this
18 Code Article apply only to school districts having less than
19 500,000 inhabitants.

20 Any teacher who has been employed in any district as a
21 full-time teacher for a probationary period of 2 consecutive
22 school terms shall enter upon contractual continued service

1 unless given written notice of dismissal stating the specific
2 reason therefor, by certified mail, return receipt requested
3 by the employing board at least 45 days before the end of
4 such period; except that for a teacher who is first employed
5 as a full-time teacher by a school district on or after
6 January 1, 1998 and who has not before that date already
7 entered upon contractual continued service in that district,
8 the probationary period shall be 4 consecutive school terms
9 before the teacher shall enter upon contractual continued
10 service. For the purpose of determining contractual
11 continued service, the first probationary year shall be any
12 full-time employment from a date before November 1 through
13 the end of the school year. If, however, a teacher who was
14 first employed prior to January 1, 1998 has not had one
15 school term of full-time teaching experience before the
16 beginning of a probationary period of 2 consecutive school
17 terms, the employing board may at its option extend the
18 probationary period for one additional school term by giving
19 the teacher written notice by certified mail, return receipt
20 requested, at least 45 days before the end of the second
21 school term of the period of 2 consecutive school terms
22 referred to above. This notice must state the reasons for
23 the one year extension and must outline the corrective
24 actions that the teacher must take to satisfactorily complete
25 probation. The changes made by this amendatory Act of 1998
26 are declaratory of existing law.

27 Any full-time teacher who is not completing the last year
28 of the probationary period described in the preceding
29 paragraph, or any teacher employed on a full-time basis not
30 later than January 1 of the school term, shall receive
31 written notice from the employing board at least 45 days
32 before the end of any school term whether or not he will be
33 re-employed for the following school term. If the board fails
34 to give such notice, the employee shall be deemed reemployed,

1 and not later than the close of the then current school term
2 the board shall issue a regular contract to the employee as
3 though the board had reemployed him in the usual manner.

4 Contractual continued service shall continue in effect
5 the terms and provisions of the contract with the teacher
6 during the last school term of the probationary period,
7 subject to this Act and the lawful regulations of the
8 employing board. This Section and succeeding Sections do not
9 modify any existing power of the board except with respect to
10 the procedure of the discharge of a teacher and reductions in
11 salary as hereinafter provided. Contractual continued service
12 status shall not restrict the power of the board to transfer
13 a teacher to a position which the teacher is qualified to
14 fill or to make such salary adjustments as it deems
15 desirable, but unless reductions in salary are uniform or
16 based upon some reasonable classification, any teacher whose
17 salary is reduced shall be entitled to a notice and a hearing
18 as hereinafter provided in the case of certain dismissals or
19 removals.

20 The employment of any teacher in a program of a special
21 education joint agreement established under Section 3-15.14,
22 10-22.31 or 10-22.31a shall be under this and succeeding
23 Sections of this Article. For purposes of attaining and
24 maintaining contractual continued service and computing
25 length of continuing service as referred to in this Section
26 and Section 24-12, employment in a special educational joint
27 program shall be deemed a continuation of all previous
28 certificated employment of such teacher for such joint
29 agreement whether the employer of the teacher was the joint
30 agreement, the regional superintendent, or one of the
31 participating districts in the joint agreement.

32 Any teacher employed after July 1, 1987 as a full-time
33 teacher in a program of a special education joint agreement,
34 whether the program is operated by the joint agreement or a

1 member district on behalf of the joint agreement, for a
2 probationary period of two consecutive years shall enter upon
3 contractual continued service in all of the programs
4 conducted by such joint agreement which the teacher is
5 legally qualified to hold; except that for a teacher who is
6 first employed on or after January 1, 1998 in a program of a
7 special education joint agreement and who has not before that
8 date already entered upon contractual continued service in
9 all of the programs conducted by the joint agreement that the
10 teacher is legally qualified to hold, the probationary period
11 shall be 4 consecutive years before the teacher enters upon
12 contractual continued service in all of those programs. In
13 the event of a reduction in the number of programs or
14 positions in the joint agreement, the teacher on contractual
15 continued service shall be eligible for employment in the
16 joint agreement programs for which the teacher is legally
17 qualified in order of greater length of continuing service in
18 the joint agreement unless an alternative method of
19 determining the sequence of dismissal is established in a
20 collective bargaining agreement. In the event of the
21 dissolution of a joint agreement, the teacher on contractual
22 continued service who is legally qualified shall be assigned
23 to any comparable position in a member district currently
24 held by a teacher who has not entered upon contractual
25 continued service or held by a teacher who has entered upon
26 contractual continued service with shorter length of
27 contractual continued service.

28 The governing board of the joint agreement, or the
29 administrative district, if so authorized by the articles of
30 agreement of the joint agreement, rather than the board of
31 education of a school district, may carry out employment and
32 termination actions including dismissals under this Section
33 and Section 24-12.

34 For purposes of this and succeeding Sections of this

1 Article, a program of a special educational joint agreement
2 shall be defined as instructional, consultative, supervisory,
3 administrative, diagnostic, and related services which are
4 managed by the special educational joint agreement designed
5 to service two or more districts which are members of the
6 joint agreement.

7 Each joint agreement shall be required to post by
8 February 1, a list of all its employees in order of length of
9 continuing service in the joint agreement, unless an
10 alternative method of determining a sequence of dismissal is
11 established in an applicable collective bargaining agreement.

12 The employment of any teacher in a special education
13 program authorized by Section 14-1.01 through 14-14.01, or a
14 joint educational program established under Section
15 10-22.31a, shall be under this and the succeeding Sections of
16 this Article, and such employment shall be deemed a
17 continuation of the previous employment of such teacher in
18 any of the participating districts, regardless of the
19 participation of other districts in the program. Any teacher
20 employed as a full-time teacher in a special education
21 program prior to September 23, 1987 in which 2 or more school
22 districts participate for a probationary period of 2
23 consecutive years shall enter upon contractual continued
24 service in each of the participating districts, subject to
25 this and the succeeding Sections of this Article, and in the
26 event of the termination of the program shall be eligible for
27 any vacant position in any of such districts for which such
28 teacher is qualified.

29 (Source: P.A. 90-548, eff. 1-1-98; 90-653, eff. 7-29-98.)"